

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CHARLES BROWN, JR for
4 CHARLES BROWN III,

5 Plaintiff

6 v.

7 ANDREW SAUL,
8 Commissioner of
9 Social Security,

10 Defendant

Case No.: 3:20-cv-00545-MMD -WGC

**Report & Recommendation of
United States Magistrate Judge**

11 This Report and Recommendation is made to the Honorable Miranda M. Du, United
12 States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28
13 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

14 Plaintiff filed an application to proceed *in forma pauperis* (IFP) and pro se complaint.
15 (ECF Nos. 1, 1-1.) On March 22, 2021, the undersigned issued an order denying Plaintiff's IFP
16 application without prejudice and allowed him to file a renewed IFP application that clearly sets
17 forth who the parties are and who is moving for IFP status, and dismissed the complaint with
18 leave to amend as it was unclear from the limited information provided what relief was sought
19 and whether Plaintiff's complaint could proceed. The court gave Plaintiff 30 days to file an
20 amended complaint and renewed IFP application, or to advise the court that he did not seek to
21 proceed further with this action. Plaintiff was cautioned that if he did not timely take the action
22 described in the order, his case would be dismissed.
23

1 To date, Plaintiff has not filed a renewed IFP application or amended complaint, or
2 anything else with the court indicating an intent to proceed with this lawsuit. Therefore, this
3 action should be dismissed without prejudice, and the case should be administratively closed.

4 **RECOMMENDATION**

5 IT IS HEREBY RECOMMENDED that the District Judge enter an order **DISMISSING**
6 this action **WITHOUT PREJUDICE** and administratively closing the case.

7 The parties should be aware of the following:

8 1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
9 this Report and Recommendation within fourteen days of being served with a copy of the Report
10 and Recommendation. These objections should be titled “Objections to Magistrate Judge’s
11 Report and Recommendation” and should be accompanied by points and authorities for
12 consideration by the district judge.

13 2. That this Report and Recommendation is not an appealable order and that any notice of
14 appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed
15 until entry of judgment by the district court.

16
17 Dated: May 12, 2021

18 

19 William G. Cobb
20 United States Magistrate Judge
21
22
23